

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
FRANCISCO JAVIER AYALA,
Defendant.

Case No.: 11CR2991 JM

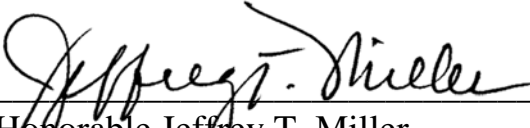
**ORDER AUTHORIZING
VIDEO TELECONFERENCE**

A national state of emergency has been declared in response to the spread of the Coronavirus. For everyone's health and safety, the general population of California is under a gubernatorial order to "shelter-in-place." The detention facilities have imposed quarantines or restrictions on access to detainees for the health of the detainees and staff. The Judicial Conference of the United States found that conditions due to the national emergency are materially affecting the functioning of the federal courts, and the Judicial Council of the Ninth Circuit certified that emergency conditions existing in the Southern District of California justify the temporary suspension of the 70-day period to bring the defendant to trial. Public health recommendations and restrictions have impacted the Court's ability to function as it usually does, to conduct in-person proceedings, and has impaired the availability of counsel, parties, and Court staff to be present in the courtroom.

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1 I therefore find pursuant to the CARES Act that the use of videoconferencing to
2 conduct these court proceedings, with the consent of the defendant, is in the interest of
3 justice in that such procedure will prevent the defendant from remaining incarcerated
4 longer than is necessary and will satisfy the objectives of sentencing under the U.S.
5 Sentencing Guidelines and 18 U.S.C. § 3553.

6
7 Dated: May 1, 2020

8 
9 Honorable Jeffrey T. Miller
United States District Judge